

United States Bankruptcy Court
District of Puerto Rico

IN RE:

Case No. 09-10130 SEK

RIVERA DAVILA, JOSE

Chapter 13

Debtor(s)

AMENDED CHAPTER 13 PAYMENT PLAN

1. The future earnings of the Debtor(s) are submitted to the supervision and control of the Trustee and the Debtor(s) shall make payments to the Trustee ☒ directly ☐ by payroll deductions as hereinafter provided in the PAYMENT PLAN SCHEDULE.
2. The Trustee shall distribute the funds so received as hereinafter provided in the DISBURSEMENT SCHEDULE.

PLAN DATED: _____

☒ AMENDED PLAN DATED: 1/11/2010

☐ PRE ☐ POST-CONFIRMATION

Filed by: ☒ Debtor ☐ Trustee ☐ Other

I. PAYMENT PLAN SCHEDULE

\$ 400.00 x 28 = \$ 11,200.00
\$ 680.00 x 32 = \$ 21,760.00
\$ _____ x _____ = \$ _____
\$ _____ x _____ = \$ _____
\$ _____ x _____ = \$ _____

TOTAL: \$ 32,960.00

Additional Payments:

\$ _____ to be paid as a LUMP SUM
within _____ with proceeds to come from:

☐ Sale of Property identified as follows:

☐ Other:

Periodic Payments to be made other than, and in
addition to the above:

\$ _____ x _____ = \$ _____

PROPOSED BASE: \$ 32,960.00

III. ATTORNEY'S FEES
(Treated as § 507 Priorities)

Outstanding balance as per Rule 2016(b) Fee
Disclosure Statement: \$ 2,900.00

Signed: _____
Debtor

Joint Debtor

II. DISBURSEMENT SCHEDULE

A. ADEQUATE PROTECTION PAYMENTS OR _____ \$ _____

B. SECURED CLAIMS:

☐ Debtor represents no secured claims.

☒ Creditors having secured claims will retain their liens and shall be paid as follows:

1. ☒ Trustee pays secured ARREARS:

Cr. DORAL BANK Cr. _____ Cr. _____
1599 # _____ # _____
\$ 4,864.62 \$ _____ \$ _____

2. ☐ Trustee pays IN FULL Secured Claims:

Cr. _____ Cr. _____ Cr. _____
_____ # _____ # _____
\$ _____ \$ _____ \$ _____

3. ☐ Trustee pays VALUE OF COLLATERAL:

Cr. _____ Cr. _____ Cr. _____
_____ # _____ # _____
\$ _____ \$ _____ \$ _____

4. ☒ Debtor SURRENDERS COLLATERAL to Lien Holder:

COOP A/C GEREN C. COOP A/C SANTA ISABEL

5. ☐ Other:

6. ☒ Debtor otherwise maintains regular payments directly to:

DORAL BANK

C. PRIORITIES: The Trustee shall pay priorities in accordance with the law.
11 U.S.C. § 507 and § 1322(a)(2)

D. UNSECURED CLAIMS: Plan ☒ Classifies ☐ Does not Classify Claims.

1. (a) Class A: ☒ Co-debtor Claims / ☒ Other: PAY AHEAD

☐ Paid 100% / ☐ Other:

Cr. COOP A/C GEREN C Cr. _____ Cr. _____
0873 # _____ # _____
\$ 23,815.52 \$ _____ \$ _____

2. Unsecured Claims otherwise receive PRO-RATA disbursements.

OTHER PROVISIONS: (Executory contracts; payment of interest to unsecureds, etc.)
See Continuation Sheet

Attorney for Debtor Marilva Valdes Ortega Law Offices

Phone: (787) 758-4400

AMENDED CHAPTER 13 PAYMENT PLAN

Debtor(s)

AMENDED CHAPTER 13 PAYMENT PLAN
Continuation Sheet - Page 1 of 2

	Cr	#	\$
Executory Contracts - Assumed:	MERCEDES-BENZ FI		

Debtor(s)

AMENDED CHAPTER 13 PAYMENT PLAN
Continuation Sheet - Page 2 of 2

TRUSTEE TO PAY ATTORNEY'S FEES BEFORE ANY SECURED OR PRIORITY CREDITOR.

PLAN WILL INCREASE WHEN DEBTOR PAYSOFF AUTO LOAN WITH MERCEDES-BENZ ACCOUNT ENDING NUMBER 6343

TRUSTEE WILL PAY ARREARS TO DCFS USA, LLC, ACCOUNT ENDING NUMBER 6343 , \$ 787.73, DEBTOR WILL MAINTAIN PAYMENTS AS OF DECEMBER 2009 AND ASSUME EXECUTORY CONTRACT.

ANY POST PETITION TAX RETURNS THAT MAY PROSPECTIVELY ARISE FROM ANY TAX REFUND FOR THE DURATION OF THE PLAN WILL BE USED AS NEEDED TO FUND THE PLAN IN ORDER TO MAXIMIZE THE DISTRIBUTION TO GENERAL UNSECURED CREDITORS, AFTER ITS CONFIRMATION AND WITHOUT THE NEED FOR ANY FURTHER NOTICE, HEARING OR COURT ORDER, THE PLAN SHALL BE DEEMED MODIFIED BY THE INCREMENT(S) TO ITS BASE.

ANY CHRISTMAS BONUS IF ANY THAT DEBTOR MAY PROSPECTIVELY RECEIVE FOR THE DURATION OF THE PLAN WILL BE PAID INTO THE PLAN, EXCEPT FOR THE FIRST \$1,000.00 DOLLARS AND THOSE AMOUNT REASONABLY NEEDED, WHICH WILL BE CONSULTED WITH THE TRUSTEE , SHOULD NO AGREEMENT BE REACHED WITH THE TRUSTEE IN THIS MATTER DEBTOR WILL MOVE THE COURT ACCORDINGLY, IN ORDER TO MAXIMIZE THE DISTRIBUTION TO GENERAL UNSECURED CREDITORS.

IN THE UNITED STATES BANKRUPTCY COURT
FOR THE DISTRICT OF PUERTO RICO

IN RE:

JOSE RIVERA DAVILA

Debtor(s)

CASE NO.; 09-10130 SEK

CHAPTER 13 (ASSET CASE)

CERTIFICATE OF SERVICE

TO THE HONORABLE COURT:

COMES (S) now Debtor(s) represented by the undersigned counsel and respectfully allege(s) and pray(s) as follows:

1. The undersigned attorney hereby certifies that has notified all creditors and persons with interest as per master address list of the Chapter 13, **AMENDED PLAN DATED 01/11/2010**.

WHEREFORE, it is respectfully requested from this Honorable Court to take notice of this service.

In San Juan, Puerto Rico, this **21st** day of January, 2010.

I HEREBY CERTIFY: That I electronically filed the foregoing with the Clerk of the Court using the CM/ECF System which will send notification of such filing to the following: Chapter 13 Trustee **José R. Carrión, Esq.**, US Trustee **Monsita Lecaroz Arribas** and to all those who in this case have registered for receipt of notice by electronic mail and I hereby certify that I have mailed by regular mail to all creditors listed on the attached Master Address List.

RESPECTFULLY SUBMITTED.

/S/MARILYN VALDES ORTEGA
MARILYN VALDES ORTEGA
USDC PR 214711
P.O.Box 195596
San Juan, PR 00919-5596
Tel. (787) 758-4400
Fax. (787) 763-0144

Label Matrix for local noticing
0104-3
Case 09-10130-SBK13
District of Puerto Rico
Old San Juan
Mon Jan 11 14:38:20 AST 2010

US Bankruptcy Court District of P.R.
U.S. Post Office and Courthouse Building
300 Recinto Sur Street, Room 109
San Juan, PR 00901-1964

CITIFINANCIAL RETAIL SERVICES DE PR
PO BOX 71328
SAN JUAN, PR 00936-8428

DCFS USA LLC
Trustee Payments
PO Box 9001683
Louisville, KY 40290-1683

DORAL BANK
PO BOX 71306
SAN JUAN, PR 00936-8406

GE MONEY BANK
PO BOX 960061
ORLANDO, FL 32896-0004

ISLAND FINANCE
130 EXP. MARTINEZ NADAL 103
GUAYNABO, PR 00969

SEARS
PO BOX 183081
COLUMBUS, OH 43218-3081

JOSE RIVERA DAVILA
PO BOX 702
CANOVANAS, PR 00729-0702

MONSITA LECAROS ARRIBAS
OFFICE OF THE US TRUSTEE (UST)
OCHOA BUILDING
500 TANCA STREET SUITE 301
SAN JUAN, PR 00901-1938

BANCO BILBAO VIZCAYA ARGENTARIA
P.O. BOX 364745
SAN JUAN, PR 00936-4745

BBVA BANCO
PO BOX 71113
SAN JUAN, PR 00936-8013

COOP A/C GEREN COOP
AVENIDA CONDADO 605
COND. SAN ALBERTO #504
SANTURCE, PR 00907-3817

DEPARTAMENTO DE HACIENDA
PO BOX 9024140
OFICINA 424 B
SAN JUAN, PR 00902-4140

FEDERAL LITIGATION DEPT OF JUSTICE
PO BOX 9020192
SAN JUAN, PR 00902-0192

GORDONS CREDIT PLAN
PROCESSING CENTER
DES MOINES, IA 50364-0001

MERCEDES-BENZ FINANCIAL
PO BOX 9001680
LOUISVILLE, KY 40290-1680

SEARS CREDIT CARDS
P.O. BOX 183081
COLUMBUS, OH 43218-3081

JOSE RAMON CARRION MORALES
PO BOX 9023884
SAN JUAN, PR 00902-3884

GEREN COOP
Osvaldo Toledo Martinez
1200 Ave. Ponce de Leon
Santurce, PR 00907-3918

CITIFINANCIAL PLUS
CALLE LUIS MUNOZ RIVERA 12
SALINAS, PR 00751-3222

COOP A/C SANTA ISABEL
PO BOX 812
SANTA ISABEL, PR 00757-0812

DEPARTAMENTO DEL TRABAJO
AVE. MUOZ RIVERA 505
HATO REY, PR 00918-3352

FIA CARD SERVICES
PO BOX 15019
WILMINGTON, DE 19886-5019

(p)INTERNAL REVENUE SERVICE
CENTRALIZED INSOLVENCY OPERATIONS
PO BOX 21126
PHILADELPHIA PA 19114-0326

SANTANDER FINANCIAL D/B/A ISLAND FINANCE
PO BOX 195369
SAN JUAN PR, 00919-5369

THE HOME DEPOT
PROCESSING CENTER
DES MOINES, IA 50364-0500

MARILYN VALDES ORTEGA
VALDES-ORTEGA
P O BOX 195596
SAN JUAN, PR 00919-5596

The preferred mailing address (p) above has been substituted for the following entity/entities as so specified by said entity/entities in a Notice of Address filed pursuant to 11 U.S.C. 342(f) and Fed.R.Bank.P. 2002 (g)(4).

INTERNAL REVENUE SERVICE
MERCANTIL PLAZA BLDG, ROOM 1014
2 PONCE DE LEON AVE. STOP 27 1/2
SAN JUAN, PR 00918-1693

The following recipients may be/have been bypassed for notice due to an undeliverable (u) or duplicate (d) address.

(u)BBVA PO BOX 364745, SAN JUAN P.R. 00936-4

(u)RIVERA DAVILA, JOSE

End of Label Matrix	
Mailable recipients	27
Bypassed recipients	2
Total	29